

**Introduced by Senator Harman**

February 22, 2007

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An act to add Chapter 35 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to business.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 596, as introduced, Harman. Computerized payment systems: antisniffer protection.

Existing law requires certain devices sold as new in this state that include integrated and enabled wireless access points to either include a warning advising the consumer how to protect his or her wireless network connection, a warning sticker, or provide other protection, as specified.

This bill would require a computerized payment system, as defined, sold as new in this state to include antisniffer protection, as defined, that would protect data traveling through the system and any directions necessary for use of the antisniffer protection. The bill would provide that if any part of these provisions or their applications are held invalid, the invalidity would not affect other provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Chapter 35 (commencing with Section 22949)
- 2 is added to Division 8 of the Business and Professions Code, to
- 3 read:

## 1 CHAPTER 35. SALE OF COMPUTERIZED PAYMENT SYSTEMS

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3 22949. For purposes of this chapter, the following terms have  
4 the following meanings:

5 (a) “Antisniffer protection” means computer software, hardware,  
6 or another mechanism that protects data traveling through a  
7 computerized payment system from unauthorized sniffers.

8 (b) “Computerized payment system” means a payment system  
9 that utilizes data traveling over a computer network.

10 (c) “Sniffer” means a program or device that monitors data  
11 traveling over a computer network.

12 22949.1. A person or entity that sells a computerized payment  
13 system as new in this state shall also provide antisniffer protection  
14 that is compatible with the system, and any directions necessary  
15 for use of the antisniffer protection.

16 22949.4. The provisions of this chapter are severable. If any  
17 provision of this chapter or its application is held invalid, that  
18 invalidity shall not affect any other provision or application that  
19 can be given effect without the invalid provision or application.